

UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF NEW YORK

EUGENE DUNCAN, for himself and on  
behalf of all other persons similarly situated,

Plaintiff,

20 CV 05974 (EK) (RER)

-against-

MAGFORMERS, LLC,

Defendant.

**STIPULATION OF DISMISSAL WITH PREJUDICE**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, attorneys of record for the parties to the above-entitled matter, that pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii), the above-entitled action is dismissed with prejudice, without costs or fees to one party as against the other, except as otherwise agreed by the parties herein.

LAW OFFICE OF JUSTIN A. ZELLER, P.C.

By: \_\_\_\_\_  
Justin A. Zeller  
[jazeller@zellerlegal.com](mailto:jazeller@zellerlegal.com)  
277 Broadway, Suite 408  
New York, N.Y. 10007-2036  
Telephone: (212) 229-2249  
Facsimile: (212) 229-2246  
**ATTORNEYS FOR PLAINTIFF**

Dated: New York, NY  
April 9, 2021

BALLARD SPAHR LLP

By: 

Jacqueline N. Schell  
SchellJ@ballardspahr.com  
1675 Broadway, 19th Floor  
New York, New York 10019-5820

Phone: (212) 223-0200

FAX: (212) 223-1942

**ATTORNEYS FOR DEFENDANT**

Dated: April 9, 2021  
Brooklyn, NY

---

**So ordered.**

Dated: Brooklyn, NY

---

Eric R. Komitee,  
United States District Judge